

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL KRECHMER a/k/a
“Michael Malice,” an Individual

16-CV-7820 (KBF)

Plaintiff,

ANDREA K. TANTAROS, an individual; and
ASTERO, LLC, a New Jersey limited liability company

**DECLARATION OF
JUDD BURSTEIN, ESQ.**

Defendants.
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I, Judd Burstein, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an attorney duly admitted to practice before the Courts of the State of New York and before the Bar of this Court.

2. I submit this Declaration in support of (a) Defendants' motion to dismiss the Complaint, which this Court has converted into a motion for summary judgment, and (b) pursuant to Fed. R. Civ. P. 65, for an order granting a preliminary injunction prohibiting Plaintiff Michael Krechmer, a/k/a Michael Malice (“Malice”), from violating the confidentiality provision of the Collaboration Agreement between Malice and Defendants, executed May 4, 2015, during the pendency of the sealing order in this case; and for such other and further relief as this Court deems just and proper.

3. The purpose of this Declaration is to put before the Court certain exhibits relevant to Defendants' Motions.

4. Annexed hereto as Exhibit 1 is a true and accurate copy of a print-out from Amazon.com showing that Kimberly Guilfoyle's book entitled *Making the Case: How to Be Your Own Best Advocate* was released on May 26, 2015.

5. Annexed hereto as Exhibit 2 is a true and accurate copy of biographical data taken from Westlaw.com showing that Malice was born in July of 1976.

WHEREFORE, based on the documents annexed hereto and all other submissions, your Declarant respectfully prays for an Order (a) granting Defendants' motion for summary judgment; (b) granting Defendants' a preliminary injunction prohibiting Malice from violating the confidentiality provision of the Collaboration Agreement, and such other and further relief as this Court deems just and proper.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 21st day of November, 2016 in New York, New York.



JUDD BURSTEIN